

## ***FWP COMMISSION AGENDA ITEM COVER SHEET***

**Meeting Date:** February 16, 2012

**Agenda Item:** Raptor Propagation Administrative Rules

**Division:** Enforcement

**Action Needed:** Approval of Final Rule/Action

**Time Needed on Agenda for this Presentation:** 10 minutes

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### **Background**

Raptor propagators are licensed both by the U.S. Fish and Wildlife Service and by the State of Montana. Currently, Montana has 14 licensed raptor propagators who are authorized to breed captive raptors and to transfer and sell the captive-bred offspring. The USFWS recently revised its regulations regarding raptor propagators and those regulations became effective June 22, 2011. Montana regulations must be at least as stringent as the new USFWS regulations. Rather than do a complete revision of the Montana administrative rules, the proposed new Montana rules, for the most part, defer to the new USFWS regulations. Some regulations specific to Montana are also included. For example, Montana's current licensing period of one year and license cost of \$20 have been revised to a five-year license with a fee of \$100. This revision coincides with the new federal regulations that provide for a five-year licensing period. Annual reports to Montana of raptor production, transfer, sale, or death will continue to be required to maintain the Montana raptor propagator license. At the November 2011 meeting, the FWP Commission approved proposing changes to the raptor propagator administrative rules.

### **Public Involvement Process & Results**

The proposed rules were published on FWP's website and 12 public comments were received. All comments received were in favor of the proposal.

### **Alternatives and Analysis**

Revise the administrative rules to coincide with the new federal regulations.

### **Agency Recommendation & Rationale**

FWP recommends the FWP Commission adopt the rules as proposed.

### **Proposed Motion**

I move the commission adopt administrative rules regarding raptor propagation as proposed.